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UNITED STATES DISTRICT COURT)

FOR THE STATE OF ALASKA)

K.J. et al.,)

Plaintiff(s))

Case No. A05-276CV(JKS)

vs.)

Anchorage School District,)

Defendant(s))

SCHEDULING AND PLANNING
 CONFERENCE REPORT

1. **Meeting.** In accordance with F.R.Civ.P.26(f), a meeting was held January 5, 2006 and was attended by:

For Plaintiffs:
 Sonja Kerr/Meg Allison
 Disability Law Center

For Defendant:
 Bradley Owens
 Jermain, Dunnagan & Owens

The parties recommend the following:

2. **Pre-Discovery Disclosures.** The information required by F.R.Civ.P.26(a)(1):

_____ have been exchanged by the parties

 X will be exchanged by the parties by 10 days after the scheduling

conference – Defendant's position. Plaintiffs position: The pre-discovery disclosures do not apply in this matter, but to the extent they apply, plaintiffs suggest exchange of disclosures within 10 days of the scheduling conference.

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Proposed changes to disclosure requirements: (*insert proposed changes, if any*)

Preliminary witness lists:

_____ have been exchanged by the parties

___X___ no additional witnesses are expected to testify in this matter

3. **Contested Issues of Fact and Law.** Preliminary, the parties expect the following issues of fact and/or law to be presented to the court at trial in this matter:

Plaintiffs' position: The amount of attorney fees and costs the prevailing party, C.S. et al., is entitled.

Defendant position: Whether the plaintiffs are the prevailing party, and if so, the amount of attorney fees and costs the prevailing party is entitled.

4. **Discovery Plan.** The parties jointly propose to the court the following discovery plan, if the Defendants reject the proposed and included stipulation:

A. Discovery will be needed on the following issues:

Any matter relevant to the amount of attorney fees and costs incurred in C.S. et al. v. Anchorage School District, DEED Case No. Hr. 05-13, pursuant to 20 U.S.C. § 1415(i)(3).

B. All discovery commenced in time to be completed by ("discovery close date").

Joint position: The parties do not anticipate any depositions or discovery in this matter.

However, in the event that discovery is commenced:

Plaintiff position: April 1, 2006

Defendant position: May 1, 2006

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C. Limitations on Discovery.

1. Interrogatories-

☒ No change from F.R.Civ.P.33(a)

____ Maximum of ____ by each party to any other party.

____ Responses due in ____ days.

2. Requests for Admissions.

☒ No change from F.R.Civ.P.36(a).

____ Maximum of ____ by each party to any other party.

____ Responses due in ____ days.

3. Depositions.

☒ No change from F.R.Civ.P.36(a), (d).

____ Maximum of ____ by each party to any other party.

____ Responses due in ____ days.

D. Reports from retained experts.

☒ Not later than 90 days before the close of discovery subject to
F.R.Civ.P.26(a)(2)(C).

____ Reports due:

From plaintiff (*insert date*)

From defendant (*insert date*)

E. Supplementation of disclosures and discovery responses are to be made:

☒ Periodically at 60-day intervals from the entry of scheduling and
planning order.

____ As new information is acquired, but not later than 60 days before
the close of discovery.

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F. A final witness list, disclosing all lay and expert witnesses whom a party may wish to call at trial, will be due:

☐ 45 days prior to the close of discovery

☒ Not later than 30 days after any order that necessitates a trial in this matter.

5. **Pretrial Motions.**

☐ No change from D.Ak. LR 16.1(c).

The following changes to D.Ak. LR 16.1(c). [Check and complete all that apply]

☐ Motions to amend pleadings or add parties to be filed not later than (*insert date*)

☒ Motions under the discovery rules must be filed not later than 45 days prior to the close of discovery.

☒ Motions in limine and dispositive motions must be filed not later than 30 days prior to the close of discovery.

6. **Other Provisions:**

A. ☐ The parties do not request a conference with the court before the entry of the scheduling order.

☒ The parties request a scheduling conference with the court on the following issue(s):

Setting deadlines for the filing of briefs and the filing of motions and cross-motions.

B. Alternative Dispute Resolution. [D.Ak. LR 16.2]

☐ This matter is not considered a candidate for court-annexed alternative dispute resolution.

X The parties will file a request for alternative dispute resolution not later than

Plaintiffs' position: February 15, 2006

Defendant position: February 15, 2006

 Mediation Early Neutral Evaluation

C. The parties do X not consent to trial before a magistrate judge.

D. Compliance with the Disclosure Requirements of F.R.Civ.P.7.1.

 All parties have complied X Compliance not required by any party

7. **Trial.**

A. The matter will be ready for trial:

Plaintiff position: The matter before the court is to be decided on motions and cross motions submitted by the parties, therefore, no trial date is requested.

 X 45 days after the discovery close date – Defendant position.

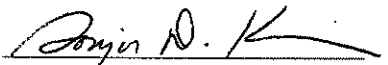
 Not later than (*insert date*)

B. This matter is expected to take 1 days to try. – Defendant position.

C. Jury demanded yes X no. – Defendant position.

Right to trial disputed? yes X no. – Defendant position.

Dated: January 11, 2006


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